

### AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method for receiving information in a communication system that uses ARQ with IR, the method comprises the step of:

deciding which of a plurality of confirmation messages ~~message~~ to transmit based on an information status flag indication contained in the received information and a decoding operation performed on the received information thus providing a technique for recovering from misinterpretation of the previous confirmation message transmission.

AD 2. (Currently Amended) The method of claim 1 wherein the step of deciding which of the plurality of confirmation messages ~~message~~ to transmit comprises waiting for NEW information.

3. (Original) The method of claim 1 further comprising waiting for NEW information after a positive confirmation message was transmitted.

4. (Currently Amended) The method of claim 1 further comprising transmitting a positive confirmation message after receiving NEW information while waiting for either NEW or CONTINUE information, decoding said received NEW information successfully and discarding any previously received information.

5. (Currently Amended) The method of claim one where the step of deciding which of the plurality of confirmation messages ~~message~~ to transmit further comprises transmitting a positive confirmation message if the received information is NEW information and the decoding operation was successful.

6. (Currently Amended) The method of claim 1 where the step of deciding which of the plurality of confirmation messages message to transmit further comprises transmitting a negative confirmation message if the received information is NEW information and the decoding operation was unsuccessful.

*Adm.*  
7. (Original) The method of claim 6 further comprising the steps of:  
waiting for CONTINUE information after the negative confirmation message was transmitted;  
combining received CONTINUE information with previously received and decoded information; and  
performing a decoding operation on the combined information.

8-12. (Canceled).

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